



2016 TMDL Implementation Project Request for Applications (RFA) Frequently Asked Questions (FAQ) – January 27, 2016

DEQ has released a [Request for Applications for TMDL Implementation Projects](#). Applications accepted on a rolling basis; cut-offs on March 31, 2016 and August 31, 2016. This FAQ document is being provided to assist potential applicants in developing their project applications. For more information npsgrants@deq.virginia.gov

Q1: Can MS4 localities apply for funding for projects that are not specifically identified/required in their permit?

A1: The 2016 TMDL RFA was developed to start a new TMDL Implementation Project or continue existing projects based upon IPs listed in [Table 1](#) of the RFA. The intent is not for applications to fund individual BMPs independent of a holistic TMDL Implementation Project. In addition under Section E of the ineligible activities it lists that activities in MS4 that are being credited to a permit (or used to develop a permit) or that will be credited in a TMDL Action Plan towards pollutant reductions in a permit) will not be eligible for funding.

Q2: Implementation plan eligibility questions: Why is a certain Implementation Plan IP not included on Table 1 of the RFA as eligible for funding? Why was an IP not submitted to EPA for approval or has not been approved by EPA? Why was a certain Implementation Plan IP not included on Table 1 since it has an EPA approved IP? Why does previous or current funding exclude an IP from funding under this RFA?

A2: Plans were deemed eligible for funding, and included in [Table 1](#) of the RFA if they met the following criteria.

1. A TMDL Implementation Plan was completed and was approved by EPA Region 3 NPS Program.
2. The TMDL IP area in question had not previously had a Section 319(h) funded project that was closed and 319(h) funds are no longer being provided to fund this TMDL project.

There may be several reasons why a plan was not submitted to EPA Nonpoint Section for review and approval.

1. Some plans do not sufficiently address Section 319(h) 9 key elements required for EPA approval and require additional contractor and stakeholder involvement. DEQ's prioritization of revising such plans is dependent upon stakeholder interest and funding.
2. TMDL is under revision and the plan submission for EPA approval is being delayed pending revisions to the TMDL.
3. If an organization is interested in starting an implementation project for any implementation plan currently not included in Table 1 of the RFA; they should contact their DEQ regional office representative listed in the RFA for next steps.

There may be several reasons why a plan was excluded as eligible due to previous section 319h funding.

1. 319(h) NPS program in Virginia started funding TMDL implementation projects in 2001 and generally funded these projects for 5 years unless implementation progress indicated that the project should end early (low level of implementation) or should be extended (high level of implementation).
 - a. The 319(h) program 'closes' a TMDL Implementation project due to several factors and does not reopen a project once it is closed.
 - b. Project was deemed unsuccessful and did not meet its implementation targets
 - c. Project was deemed successful, met project implementation targets, showed water quality improvements or resulting delistings and in some cases a success stories was written.



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- d. Project was deemed successful, met most of its implementation targets however the project showed minimal water quality improvements and it was determined that significant additional funding would be needed in order to achieve results and local participation in implementation activities and program began to decline.
2. The 319(h) program is currently funding a TMDL Implementation project in 20 TMDL IP areas around the state. TMDL IP projects are intended to be partnerships, so competing projects are determined to be counter to the nature of the program. Additional Category 1 or 2 projects will not be allowed or funded in areas where funding is currently provided. Current projects can apply for Category 3 funding if they meet qualifications specified in the RFA.
 - a. Organizations interested in implementation in IP areas that currently have implementation projects should contact the organization who is the lead for the project and to whom DEQ is providing Section 319 funding.
 - b. Organizations can contact their DEQ regional office contact indicated in the RFA with assistance in determining IPs with current funding.

Q3: How do we characterize the needs of the IP if work has been done for several years and many BMPs have been accomplished and successful? Non 319 funding was used and now we want 319. How do we reflect all we have accomplished and the momentum we currently have, as advantageous to continued funding?

A3: If an application is being submitted for a TMDL Implementation Plan that has had significant work already completed, or for which there is currently funded work; reflecting that in the application and proposal documents is important. Characterize the implementation goals (BMP goals) from the IP that have already been achieved or progress made and highlight what else needs to be done in order to achieve water quality results (essentially what the application will fund). Using the % completed to date and the % to be completed through a successful application will help reviewers understanding the collective impact funding the continued project may have.

Q4: Can a water quality monitoring component be quantifying the edge of stream and/or delivered loads to the Chesapeake Bay or does it have to be actual water quality samples from the stream?

A4: Water quality monitoring should measure pollutants or indicators in-stream during the implementation project. Water quality monitoring should augment DEQ monitoring that can show water quality improvements due to implementation activities and that could be used as documentation in a Success Story.. Monitoring should reference how it will implement part or portion of the monitoring strategy listed in the TMDL IP. DEQ calculates all pollution reductions and loadings for the BMPS reported during project implementation, so the applicant need not report this information.

Q5: Can you please let me know if the required match can be entirely “in-kind” services? We are thinking of partnering with our local SWCD and they would offer their technical services as the in kind match for livestock exclusion.

A5: Yes match can be 100% in-kind. Generally if someone is volunteering their professional services (in what they do as a job) they can claim their hourly salary rate. If, however they are volunteering in another capacity then they would use the going rate for volunteer services.

Q6: If we ask for funding for water quality monitoring, what type of QA/QC plan do we need or have to submit?



2016 TMDL Implementation Project Request for Applications (RFA) Frequently Asked Questions (FAQ) – January 27, 2016

A6: Under section F of the RFA there is a sub-section on water quality monitoring. This section describes the requirement that all successful projects that include funds for water quality monitoring must submit for approval a Quality Assurance Project Plan to DEQ.

Q7: *What BMPs are eligible for funding and are there any BMP specifications or operation and maintenance requirements?*

A7: Section D of the RFA describes the Eligible Activities for the RFA, including BMPs listed in a TMDL Implementation Plan will be eligible for funding and inclusion in an application under the 2016 TMDL RFA. Applicants should refer to the DEQ TMDL Implementation Cost-share Agricultural and Residential BMP Guidelines for reference on specifications. Unless otherwise approved by DEQ, proposed BMPs should meet the specifications provided by the [DEQ's TMDL BMP Guidelines](#), the [Virginia Stormwater Management Handbook](#), the DEQ and Virginia Tech [Stormwater BMP Clearinghouse](#) and DCR's [Virginia Agricultural BMP Cost-Share Guidelines](#). All practices will be required to follow operation and maintenance plan requirements. More information on these requirements and examples of Operation and Maintenance Plans and landowner agreements can be found in the NPS Resources document http://deq.virginia.gov/Portals/0/DEQ/Water/NonpointSource/NPS_Grants_Resources.pdf

Q8: *What happens if one of the key partners identified in the TMDL Implementation Plan is no longer able and/or interested in participating in a TMDL Implementation Project? [or] What happens if the assumed lead of the implementation project can no longer serve as the lead for the project? How can a project move forward and how can an application still be submitted?*

A8: As indicated in section G “Partnerships” of the RFA; past experience has shown that an active and engaged community partnership, involving all stakeholders identified in an IP, is a key component in a successful TMDL Implementation project. However sometimes key partners can no longer work on a project due to various reasons (. This does not mean that the remaining identified partners cannot have a successful project. The most important factor is that the organization applying for funding and any partners identified in the application have the capacity, together, to successfully implement the proposed work. This includes managing and administering the grant contract, etc. Organizations need to develop partnerships on their own, DEQ will help facilitate and work with organizations who want to partner together. If one of the organizations identified cannot participate and the applicant still wishes to pursue work in one of the three identified areas; the application should include information justifying how the project will proceed without the identified key stakeholder involved. DEQ cannot guarantee that it will approve projects for BMP funding for one of the three identified areas if one of the corresponding identified key partner is not involved in the project.

Q9 - *Are non-profits or non-governmental organizations eligible to apply for grant funding or be sub-awardees of these grant funds (i.e., can a District contract with a group for specific deliverables associated with the grant?)?*

A9 – Yes, NGOs and non-profits are both are eligible to apply for grant funds and to be sub-awardees. The applicant must follow their own procurement procedures when dealing with sub-grantees.

Q10 – *What is the turnaround time for reimbursement?*

A10 – With the 30 day Prompt Pay Act, you can expect to be reimbursed within 30 days of submitting a progress report and invoice; if the grant report is due on the 15th, 30 days from that. These grants will be managed with a standard 3 month quarterly report due the 15th day following the end of the quarter. For example, if you had an expenditure on October 4th, and submitted your quarterly report for October thru



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December on January 15th when it is due, you can expect to be reimbursed by February 15th. This means it could be up to 4 months before you see a payment from DEQ. DEQ does allow alternative reimbursement schedules that can be requested and which are allowed on a case-by-case basis. One of the most frequently used is interim reimbursement requests, which are requests for more frequent reimbursement than quarterly (e.g. October 2016 interim report could be submitted for the BMP expenses incurred in October, and this could be submitted by November 15.) These alternatives are available for extenuating circumstances only.

Q11 - A portion of one of our proposed watersheds is in another Soil and Water Conservation District (SWCD). Can we use funds in the adjoining District if that District has a high priority project that we do not know about at the time of proposal submittal?

A11 – If a TMDL IP covers multiple jurisdictions it's perfectly acceptable to have multiple districts partnering on an IP project. Two districts can work jointly and lead the implementation in their respective jurisdictional area. There does need to be a communication between the two districts up front before applying. It often works if one District is designated as a "lead". If we get two proposals for the same IP that shows that partnership was not addressed from the beginning the likeliness of the project not succeeding is higher than if there was partnering up front, and a single application submitted.

DEQ suggests that sub-watershed area selection should be discussed between all partners, all Districts ahead of submitting an application. The sub-watersheds should be based upon what was included in the TMDL IP. DEQ understands that often this prioritization may change and shift during project implementation due to landowner involvement. DEQ doesn't eliminate the possibility that the eligible priority areas addressed by the approved project couldn't be adjusted during project implementation. More often than not, focusing in 2-3 priority areas may help to determine the interest in getting funding from subsequent RFA to address implementation in other priority areas.

Q12 - Please explain "indirect" funds.

A12– Indirect costs are agency-wide, general management costs (i.e., activities for the direction and control of the agency as a whole). General management costs consist of administrative activities necessary for the general operation of the agency, such as accounting, budgeting, payroll preparation, personnel services, purchasing, and centralized data processing.

Conversely, direct costs are costs that provide measurable, direct benefits to particular programs. These can include costs that relate directly to instructional programs and also support costs that relate to the peripheral services necessary to maintain the instructional programs. In general terms, an indirect cost rate is the percentage of an organization's indirect costs to its direct costs and is a standardized method of charging individual programs for their share of indirect costs.

Indirect funds will ONLY be allowed if an applicant has a federally approved (and negotiated) indirect cost rate agreement and can provide a copy of that agreement. Indirect costs are capped for this RFA to 10% of the direct grant funds requested. However the applicant should apply and request indirect costs based upon the manner in which their rate was negotiated. Organizations which have an approved rated of 28.5% of personnel costs would only apply their indirect cost rate to the personnel costs in their application up to the 10% threshold of the entire direct costs of the application.



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Q13 – Are residential septic systems that require discharge waste permits allowed under this RFA? Are these the same permits issued by VDH?

A13 – Alternative sewage discharging systems require a National Pollution Discharge Elimination System (NPDES) permit from DEQ and thus are classified as a point source, which is ineligible for section 319 funds. Grant funded conventional onsite sewage systems (RB-3, RB-4, RB-4P and RB-5) require a VDH installation permit and are eligible for 319 funding. **Q14 - How detailed does the "vicinity map" need to be? Can it just be an image copied from the IP? If the maps in the IP are not detailed enough, where can we find better maps for implementation planning?**

A14 – Use your best judgment. If you are going to be targeting your area we need a map with enough specificity to be able to tell where the work will be done. There have been issues in the past with names of sub-watersheds or river tributaries related to differences in the names from local knowledge and what is known on a statewide basis. The map should indicate where the proposed project will take place. Please use the approved DEQ IP boundaries (available on [VEGIS](#)). VEGIS, located on the DEQ home page is a good resource that may help you create an implementation map. You can also go to: http://www.deq.virginia.gov/mapper_ext/default.aspx?service=public/wimby.

The Implementation Watersheds can be accessed by going through the following steps in the map viewer. You must “Add Map Layers” (TMDL_IP_Watersheds) – Add by clicking the green Plus sign. Then turn on the watershed layer in the table of contents on the left and the IP watersheds will display by status. More information is available for each watershed by using the identify tool.

Up-to-date spatial data can be downloaded for use in ArcGIS desktop in the following location:

<http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS/VEGISDatasets.aspx>. The

TMDL_IP_Watersheds_Geodatabase.zip is updated nightly. Once you have unzipped the file, the polygon layer (s) can be added to ArcMap. There are two polygon layers and two tables in the geodatabase. The IP Watersheds DEQ layer should be joined to the IP_Watershed_Info Table on the IP_KEY field. This will allow access to attribution associated with the Implementation Watersheds in Virginia.

Q15 - Do we need letters of support?

A15 – Yes, letters of support for match is required. Other support letters are allowed.